

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
W. R. GRACE & CO., et al.¹) Case No. 01-01139 (JKF)
) (Jointly Administered)
Debtors.)

**DEBTORS' MOTION FOR LEAVE FROM THIS COURT'S
DECEMBER 19, 2006 SCHEDULING ORDER AND DECEMBER 14, 2006
CASE MANAGEMENT ORDER FOR THE DEBTORS' OBJECTION TO
CERTAIN CLAIMS FILED BY BERGER & MONTAGUE, P.C. AND
RICHARDSON, PATRICK, WESTBROOK & BROCKMAN, LLC.**

The above-captioned debtors and debtors in possession (collectively, the "Debtors") hereby move this Court (the "Motion"), pursuant to Del. Bankr. LR 9006-1(e), Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and section 102 of title 11 of the United States Code (as amended, the "Bankruptcy Code"), for an Order for leave with respect to the *Objection to Certain Claims Filed by Berger & Montague, P.C. and Richardson, Patrick, Westbrook & Brockman, LLC* (the "Objection") from this Court's *Amended Order*

¹ The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co. Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., GC Limited Partners I, Inc., (f/k/a Grace Cocoa Limited Partners I, Inc.), GC Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc. GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

Scheduling Omnibus Hearing Dates for 2007 [Docket 14068] (the "Scheduling Order"), dated December 19, 2006 and the *Second Amended Order Establishing Case Management Procedures and Hearing Schedule* [Docket 14028] (the "Case Management Order"), dated December 14, 2006, so that the Objection may be heard at the Debtors' April 2, 2007 omnibus hearing that is scheduled in the above-referenced bankruptcy cases.

Pursuant to the Scheduling and Case Management Orders motions to be heard at the April 2, 2007 omnibus hearing were to be filed and served on or before February 26, 2007. Additionally, the Case Management Order requires that an objection deadline be at least 17 days prior to the omnibus hearing, *i.e.*, March 16, 2007.

Bankruptcy Rule 3007 provides that a copy of the objection with notice of the hearing "shall be mailed or otherwise delivered to the claimant, the debtor, or the debtor in possession and the trustee at least 30 days prior to the hearing."

Bankruptcy Rule 9006(c) provides that when an act is required to be done within a specified time by the Bankruptcy Rules "the court for cause shown may in its discretion with or without motion or notice order the period reduced." Similarly, Del.Bankr.LR 9006-1(e) provides in pertinent part that "no motion will be scheduled on less notice than required by these Rules or the Fed. R. Bankr. P. except by Order of the Court, on written motion . . . specifying the exigencies justifying shortened notice."

Accordingly, the Debtors file this motion seeking an Order of this Court for leave from the Scheduling and Case Management Orders and shortening the response period prescribed by the Case Management Order to enable the Debtors to have the Objection heard at the Debtors' next omnibus hearing on April 2, 2007 at 2:00 p.m. The Debtors also respectfully request that the Court establish March 19, 2007 at 12:00 p.m. as the deadline to respond to the Objection.

Since the Debtors have filed and served the Objection within 30 days of the hearing, as required by Bankruptcy Rule 3007, there is no prejudice to any party in interest. Additionally, extending the objection deadline by 3 days will ensure that all parties in interest have adequate time to respond.

Given the 34 days notice that will be provided to all parties in interest is longer than required under Bankruptcy Rule 3007, the Debtors respectfully submit that the extension of the objection deadline described above is appropriate, as is leave from the Scheduling and Case Management Orders.

WHEREFORE, the Debtors respectfully request the entry of an Order (i) granting the Debtors leave from the Scheduling and Case Management Orders, (ii) shortening the notice period with respect to the Objection, and (iii) and setting the objection deadline to the Objection at March 19, 2007 at 12:00 p.m., as set forth above.

Dated: February 27, 2007

KIRKLAND & ELLIS LLP
David M. Bernick, P.C.
Janet S. Baer
Lori Sinanyan
200 East Randolph Drive
Chicago, IL 60601
Telephone: (312) 861-2000
Facsimile: (312) 861-2200

and

PACHULSKI STANG ZIEHL YOUNG JONES &
WEINTRAUB LLP



Laura Davis Jones (Bar No. 2436)

James E. O'Neill (Bar No. 4042)

919 North Market Street, 17th Floor

P.O. Box 8705

Wilmington, DE 19899-8705 (Courier 19801)

Telephone: (302) 652-4100

Facsimile: (302) 652-4400

Co-Counsel for the Debtors and
Debtors in Possession